



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

JMM:SK
F. #2013R00948

610 Federal Plaza
Central Islip, New York 11722

September 2, 2014

By FedEx & ECF

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Re: United States v. Philip Kenner & Tommy C. Constantine
Criminal Docket No. 13-607 (JFB)

Dear Counsel:

Enclosed please find discovery provided by the government in accordance with Rule 16 of the Federal Rules of Criminal Procedure. This discovery supplements the discovery provided on January 16, 2014, January 23, 2014, February 10, 2014, March 6, 2014, March 11, 2014, March 24, 2014, April 11, 2014, May 21, 2014, June 6, 2014, August 6, 2014, August 15, 2014, August 20, 2014, August 22, 2014, August 27, 2014, August 28, 2014 and August 29, 2014. The government renews its request for reciprocal discovery.

Enclosed please find the following:

- A recording with Kenner (bates-numbered KREC 10);
- Additional recordings (bates-numbered UREC 1-2);
- A transcript of Constantine's deposition in Prewitt Enterprises, LLC v. Tommy Constantine Racing, LLC (bates-numbered LIT 1-54);
- Records obtained from Fireman's Fund Insurance Company (bates-numbered FFIC 1-516);

- Records pertaining to Palms Place (bates-numbered LV 1-1470);
- Documents and emails containing defendants' statements (bates-numbered DS 1-79);
- Records obtained from FINRA (bates-numbered FINRA 1-7);
- Records obtained from Danske (bates-numbered BNK-DANSKE 1-713);
- Records obtained from Wells Fargo (bates-numbered BNK-WF 2437-2833);
- Records pertaining to Urban Expansion (bates-numbered URBAN 118-123); and
- Transcripts of arbitration proceedings in Nolan v. Kenner and related documents (bates-numbered BN DISK 1 and BN-P 1-318).

The government will continue to provide discovery. Please contact me or AUSA James Miskiewicz if you have any questions or requests.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

By: /s/Saritha Komatireddy
Saritha Komatireddy
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Enclosures

cc: Clerk of the Court (JFB) (by ECF) (without enclosures)